IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 29TH MAY 2007 / 8TH JYAISHTA 1929

Bail Appl..No. 3076 of 2007()

CRMP.1721/2007 of DISTRICT COURT, PALAKKAD
CRIME NO.109/07 OF THRITHALA POLICE STATION

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: PETITIONERS/ACCUSED NOS.11 & 12

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1. SUBASH, AGED 27 YEARS,
   S/O.KRISHNANKUTTY, VALIYAVALAPPIL HOUSE,
   KUDALLOOR, THRITHALA, OTTAPALAM, PALAKKAD DIST.

2. JENISH K.G., AGED 27 YEARS,
   S/O.GOVINDAN, KANAKKARAPALLIYIL,
   KUDALLOOR, THRITHALA, OTTAPALAM, PALAKKAD DIST.

BY ADV. SRI.C.C.THOMAS

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
SUB INSPECTOR OF POLICE, THRITHALA POLICE STATION,
PALAKKAD DISTRICT, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 3076 OF 2007

Dated this the 29th day of May, 2007

O R D E R

Petitioners, who are accused Nos.11 and 12 in Crime No.109/07 of Thrithala Police Station for offences punishable under Secs.143, 147, 148, 294(b) and 332 read with sec.149 I.P.C. and section 3(1) of the PDPP Act, seek anticipatory bail. The occurrence took place on 31.3.07.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer for the purpose of interrogation and then to have their application for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioners shall surrender before the investigating officer on any day between 05-06-2007 and 07-06-2007 for the purpose of interrogation and recovery of incriminating material, if any. The petitioners shall, thereafter, be produced on the same day before the Magistrate, who shall release the petitioners on bail on appropriate conditions.

This petition is disposed of as above.

(V. RAMKUMAR, JUDGE)

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